

MINUTES OF A MEETING OF THE CLARENCE CITY COUNCIL CONDUCTED ELECTRONICALLY, ON TUESDAY 9 JUNE 2020

HOUR CALLED: 7.00pm

PRESENT: The meeting commenced at 7.00pm with the Mayor (Ald D C Chipman) in the Chair and with Aldermen:

B A Blomeley
H Chong
L Edmunds
D Ewington
R H James
W Kennedy
T Mulder
J Peers
S von Bertouch
J Walker
B Warren; present.

1. APOLOGIES Nil

ORDER OF BUSINESS Items 1 – 13

IN ATTENDANCE

General Manager
(Mr I Nelson)

Chief Financial Officer
(Ms M Coleman)

Group Manager Engineering Services
(Mr R Graham)

Manager Health and Community Development
(Mr J Toohey)

Manager City Planning
(Mr R Lovell)

Manager Communication and Strategic Development
(Mr A Saddler)

Executive Officer to the General Manager
(Ms J Ellis)

The Meeting closed at 9.23pm.

Prior to the commencement of the meeting, the Mayor made the following declaration:

“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.

The Mayor also advised the Meeting and members of the public that Council Meetings, not including Closed Meeting, are audio-visually recorded and published to Council’s website.

COUNCIL MEETING
TUESDAY 9 JUNE 2020

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1. ATTENDANCE AND APOLOGIES

Refer to cover page.

1A. ADDITIONAL ITEM – URGENT AGENDA ITEM

The Mayor advised of an Urgent Item to be discussed in Closed Meeting. In accordance with Regulation 8(6) the Local Government (Meeting Procedures) Regulations 2015 the General Manager has certified that:

- he has advice regarding an appeal of a planning decision previously refused by Council;
- the advice was received after publishing of the agenda on 4 June 2020;
- he regards the matter as urgent; and
- the advice received has been taken into account when providing a confidential report to Council tonight.

The Mayor called for a Procedural Motion.

Decision:

PROCEDURAL MOTION

MOVED Ald Blomeley **SECONDED** Ald von Bertouch

“That pursuant to the provisions of Regulation (8) of the Local Government (Meeting Procedures) Regulations 2015, Council includes an additional agenda item in relation to the appeal of a planning matter in the closed section of this meeting agenda”.

CARRIED

FOR

Ald Blomeley
Ald Chipman
Ald Chong
Ald Edmunds
Ald Ewington
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald James

2. ***CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Council Meeting held on 18 May 2020, as circulated, be taken as read and confirmed.

Decision: **MOVED** Ald Edmunds **SECONDED** Ald Chong

“That the Minutes of the Council Meeting held on 18 May 2020, as circulated, be taken as read and confirmed”.

CARRIED UNANIMOUSLY

3. MAYOR’S COMMUNICATION

The Mayor reported on the following meetings and attendances since the last Council Meeting:

- 19 May – Bellerive Public Pier – Media Event;
- 19 May – Greater Hobart Mayors’ Forum;
- 21 May – Local Government Web Conference with Minister Shelton;
- 22 May – Kangaroo Bay Parkland – Media Event with Senator Duniam;
- 28 May – Greater Hobart Committee Meeting;
- 29 May – Recording Anti-racism Video;
- 1 June – Knight Frank Business Update; and
- 4 June – Cremorne to Lauderdale Track – Media Event.

4. ***COUNCIL WORKSHOPS

In addition to the Aldermen’s Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

PURPOSE	DATE
Budget Discussion	25 May
Budget Discussion – Capital Works	29 May
Presentation – Southern Region Social Recovery Plan	
Community Grants	
Fees and Charges Schedule and Policy	
Finalisation of Budget Issues	1 June

*****COUNCIL WORKSHOPS /contd...****RECOMMENDATION:**

That Council notes the workshops conducted.

Decision: **MOVED** Ald Edmunds **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council’s adopted Code of Conduct, the Mayor requests Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLARED

Alderman James

Item No. 11.3.4

6. *TABLING OF PETITIONS**

Nil

7. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request an Alderman or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

7.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

The Mayor may address Questions on Notice submitted by members of the public.

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

The General Manager provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

Nil.

7.4 QUESTIONS WITHOUT NOTICE

The Chairperson may invite members of the public present to ask questions without notice.

Questions are to relate to the activities of the Council. Questions without notice will be dependent on available time at the meeting.

Council Policy provides that the Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that relates to any item listed on the agenda for the Council meeting (note: this ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Council Meeting Agenda).

When dealing with Questions without Notice that require research and a more detailed response the Chairman may require that the question be put on notice and in writing. Wherever possible, answers will be provided at the next ordinary Council Meeting.

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC
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(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

DEVELOPMENT APPLICATION PDPLANPMTD-2020/008214 – 21 RIAWENA ROAD, MONTAGU BAY – FOOD VAN
(REFER ITEM 11.3.4)

Mr David Jones provided a deputation regarding the above matter which was read out by the General Manager.

9. MOTIONS ON NOTICE

Nil

10. *REPORTS FROM OUTSIDE BODIES**

This agenda item is listed to facilitate the receipt of both informal and formal reporting from various outside bodies upon which Council has a representative involvement.

10.1 *REPORTS FROM SINGLE AND JOINT AUTHORITIES**

Provision is made for reports from Single and Joint Authorities if required.

Council is a participant in the following Single and Joint Authorities. These Authorities are required to provide quarterly reports to participating Councils, and these will be listed under this segment as and when received.

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald James Walker
(Ald Luke Edmunds, Deputy Representative)

Quarterly Reports

The Copping Refuse Disposal Site Joint Authority has distributed the Quarterly Summary of its Meetings.

The Copping Refuse Disposal Site Joint Authority has also distributed its Quarterly Report for the period 1 January to 31 March 2020.

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the Report will be tabled in Closed Meeting.

Representative Reporting

- **TASWATER CORPORATION**

The Mayor tabled the response dated 9 June 2020 to Owner Representatives' on the Consultation and Dividend Payments.

- **GREATER HOBART COMMITTEE**

The Mayor provided draft notes from the first meeting of the Greater Hobart Committee on 28 May 2020.

10.2 *REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**

RICHMOND ADVISORY COMMITTEE

- Ald Chong tabled the Minutes of a Meeting held on 20 May 2020.

RICHMOND BICENTENNIAL

- Ald Chong tabled a briefing on the planning of the Richmond Bicentennial.

11. REPORTS OF OFFICERS**11.1 ***WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 18 and 25 May and 1 June 2020 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 18 and 25 May and 1 June 2020 be noted.

Decision: **MOVED** Ald Edmunds **SECONDED** Ald Chong

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

11.3 PLANNING AUTHORITY MATTERS

In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

11.3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2019/005513 – 12 PARK STREET, BELLERIVE - 3 MULTIPLE DWELLINGS**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for three Multiple Dwellings at 12 Park Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access and Stormwater Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional Provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 11 June 2020.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and one representation was received raising the following issues:

- noise/dust nuisance;
- risk of damage to property; and
- boundary fencing.

RECOMMENDATION:

A. That the Development Application for three Multiple Dwellings at 12 Park Street, Bellerive (Cl Ref PDPLANPMTD-2019/005513) be refused for the following reasons.

1. The proposal does not comply with Clause 10.4.1 P1 (a) as the proposal is not compatible with the density of the surrounding area.

2. The proposal does not comply with Clause 10.4.1 P1 (b) as the proposal does not provide for a significant social or community housing benefit.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Decision:	MOVED Ald Blomeley SECONDED Ald Ewington
	“A. That the Development Application for three Multiple Dwellings at 12 Park Street, Bellerive (Cl Ref PDPLANPMTD-2019/005513) be approved subject to the following conditions and advice. 1. GEN AP1 – ENDORSED PLANS. 2. ENG M1 – DESIGNS DA. 3. ENG A1 – NEW CROSSOVER [TSD-R09 (Urban)]. 4. ENG A5 – SEALED CAR PARKING. 5. ENG A7 – REDUNDANT CROSSOVER. 6. ENG S11 – SEALING OF SERVICES. 7. ENG S1 – INFRASTRUCTURE REPAIR. 8. The development must meet all required Conditions of Approval specified by TasWater notice dated 12 December 2019 (TWDA 2019/01820-CCC). ADVICE – The demolition of the existing dwelling, will require building and plumbing approval in addition to the construction of the proposed three new dwellings. B. The proposed density of the Development Application is consistent with the prevailing density and is compatible with the existing area.

/ Decision contd on Page 17...

**DEVELOPMENT APPLICATION PDPLANPMTD-2019/005513 – 12 PARK STREET,
BELLERIVE - 3 MULTIPLE DWELLINGS /Decision contd...**

- C. That the Associated Report notes that all three issues raised from the one representation received were deemed to have ‘no determining weight under the scheme in relation to this proposal’.

The **MOTION** was **put** and **LOST**

FOR

Ald Chipman
Ald Blomeley
Ald Edmunds
Ald Ewington
Ald Peers

AGAINST

Ald Chong
Ald James
Ald Kennedy
Ald Mulder
Ald von Bertouch
Ald Walker
Ald Warren

FORESHADOWED MOTION

MOVED Ald James **SECONDED** Ald Mulder

“That the Recommendation be adopted”.

CARRIED

FOR

Ald Chong
Ald James
Ald Kennedy
Ald Mulder
Ald Peers
Ald von Bertouch
Ald Walker
Ald Warren

AGAINST

Ald Chipman
Ald Blomeley
Ald Edmunds
Ald Ewington

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2020/007774 – 5 KENT STREET, LINDISFARNE - ADDITION TO DWELLING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an addition to Dwelling at 5 Kent Street, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Access Code and Stormwater Management Code under the *Clarence Interim Planning Scheme 2015 (the Scheme)*. In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional Provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42-day period which has been extended until 12 June 2020.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and two representations were received raising the following issues:

- overshadowing;
- loss of privacy; and
- visual impact.

RECOMMENDATION:

A. That the Development Application for addition to Dwelling at 5 Kent Street, Lindisfarne (CI Ref PDPLANPMTD-2020/007774) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

/ Refer to Page 19 for Decision on this Item...

**DEVELOPMENT APPLICATION PDPLANPMTD-2020/007774 – 5 KENT STREET,
LINDISFARNE - ADDITION TO DWELLING /contd...**

Decision:

MOVED Ald Blomeley **SECONDED** Ald Mulder

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2020/008205 – 110 BANGALEE STREET, LAUDERDALE - 2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for two Multiple Dwellings (1 existing + 1 new) at 110 Bangalee Street, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Coastal Inundation (Low), Stormwater Management, Parking & Access Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional Provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires on 10 June 2020.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and two representations were received raising the following issues:

- inconsistency with character of the area;
- loss of privacy;
- overshadowing; and
- loss of property values.

RECOMMENDATION:

A. That the Development Application for two Multiple Dwellings (1 existing + 1 new) at 110 Bangalee Street, Lauderdale (Cl Ref PDPLANPMTD-2020/008205) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. Amended western elevation plans for Unit 2 must be submitted to and approved by Council's Manager City Planning prior to the issue of a Building Permit or Certificate of Likely Compliance. The amended plans must show:

- a) a 1.8m high timber slat privacy screen with no more than 25% transparency on the deck (western elevation);
- b) the dining room window on the western elevation must have a 1.7m sill height above the finished floor level;
- c) the bathroom and powder room windows must have opaque/obscure glazing (western elevation); and
- d) a 1.2m high fence between the Unit 1 car parking area and Unit 1, as well as a gate to provide access to the private open space between the unit and frontage.

When approved, the plans will form part of the permit.

- e) ENG A1 – NEW CROSSOVER [3.6m].
- f) ENG M1 – DESIGNS DA.
- g) ENG A5 – SEALED CAR PARKING.
- h) ENG S1 – INFRASTRUCTURE REPAIR.

3. The development must meet all required Conditions of Approval specified by TasWater notice dated 30/4/2020 (TWDA 2020/00396-CCC).

- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

Decision:	MOVED Ald Ewington SECONDED Ald Blomeley
	“That the Recommendation be adopted”.
	CARRIED UNANIMOUSLY

**11.3.4 DEVELOPMENT APPLICATION PDPLANPMTD-2020/008214 – 21
RIAWENA ROAD, MONTAGU BAY - FOOD VAN****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Food Van at 21 Riawena Road, Montagu Bay.

RELATION TO PLANNING PROVISIONS

The land is zoned Local Business and subject to the Parking and Access and Signs Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and Transitional Provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 11 June 2020.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and four representations were received raising the following issues:

- use of van permanent rather than temporary;
- concern with (unhealthy) food offered for sale;
- impact on residential amenity;
- on-site car parking;
- property in poor state of repair;
- waste storage/loading; and
- stormwater.

RECOMMENDATION:

A. That the Development Application for Food Van at 21 Riawena Road, Montagu Bay (Cl Ref PDPLANPMTD-2020/008214) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLAN [showing a waste storage area, suitably screened from public view].
 3. GEN AM5 – TRADING HOURS [Monday - Saturday - 7am to 8pm; Sunday and Public Holidays 7am to 8pm].
 4. The food van may operate from the site only until such time as the café use approved by D-2019/103 commences.
 5. All loading and unloading of vehicles must be carried out wholly within the property.
 6. Outdoor lighting, where provided, must be located, designed and baffled to ensure that no direct light is emitted outside the boundaries of the site.
 7. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from the site must be within the hours of:
 - (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 5.00 pm Saturdays;
 - (c) 10.00 am to 12 noon Sundays and public holidays
 8. Amplified music must not be played.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

Ald James declared an Interest in this Item and left the Meeting prior to discussion (7.45pm).

Decision:	MOVED Ald Walker SECONDED Ald Chong
	“That the Recommendation be adopted”.
	CARRIED UNANIMOUSLY

Ald James returned to the Meeting at this stage (7.48pm).

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

Nil Items.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 CLARENCE KEEP CONNECTED INITIATIVE – FINAL PROJECT REPORT****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to provide a final account of the Clarence Keep Connected (CKC) initiative since its commencement on 3 April up to 11 May 2020.

RELATION TO EXISTING POLICY/PLANS

The CKC initiative relates directly to Council's Business Continuity Plan.

LEGISLATIVE REQUIREMENTS

There are no associated legislative requirements.

CONSULTATION

Several community engagement methods were used to inform the community about the CKC initiative and enable widespread community participation for individuals, organisations and businesses to contribute.

FINANCIAL IMPLICATIONS

Costs associated with the development and delivery of CKC were redirected from existing budget accounts.

RECOMMENDATION:

That Council:

- Receives the report on the progress of the Clarence Keep Connected Project;
- Authorises the General Manager to communicate the findings to the Southern Regional Social Recovery (SRSRC) Committee; and
- Notes the recommendations contained in the report.

Decision: **MOVED** Ald Chong **SECONDED** Ald Warren

“That the Recommendation be adopted”.

CARRIED UNANIMOUSLY

11.7.2 COVID-19 – CLARENCE CITY COUNCIL RESPONSE – FINAL STATUS REPORT**EXECUTIVE SUMMARY****PURPOSE**

To provide a final status report on Council's COVID-19 response for the period 14 May to 2 June 2020.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

The *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (Tas) and the *Local Government Act 1993* (Tas) are relevant.

CONSULTATION

Council, via the Mayor and key Council officers, has been keeping the Clarence community updated in relation to the evolving issues and responses to the COVID-19 pandemic.

FINANCIAL IMPLICATIONS

Costs associated with the COVID-19 pandemic response are being closely monitored and are reported to Council at each Council Meeting via this report during the pandemic crisis.

RECOMMENDATION:

That Council:

- A. Notes this COVID-19 Response status report for the period 14 May to 2 June 2020.
- B. Notes the stand down of the Business Continuity and Recovery Plan and the implementation of COVID-19 Ready Safety Plans as part of a return to normal Council operations.
- C. Notes the Clarence City Council COVID-19 Social Recovery Action Plan approved by the General Manager on 3 June 2020, including that the Plan may be updated from time to time by the General Manager subject to the evolving circumstances of the COVID-19 situation with regard to community recovery.
- D. Resolves that the delegation granted to the General Manager in Part "D, dot point 1" of Item 11.7.1 of Council's decision of 6 April 2020 now cease.
- E. Notes that this will be the final COVID-19 status report provided in accordance with Council's 6 April 2020 decision.

/ Refer to Page 29 for Decision on this Item...

COVID-19 – CLARENCE CITY COUNCIL RESPONSE – FINAL STATUS REPORT
/contd...

Decision:	MOVED Ald Chong SECONDED Ald Warren	
	“That the Recommendation be adopted”.	
	CARRIED	
	FOR	AGAINST
	Ald Chipman	Ald James (abstained)
	Ald Blomeley	
	Ald Chong	
	Ald Edmunds	
	Ald Ewington	
	Ald Kennedy	
	Ald Mulder	
	Ald Peers	
	Ald von Bertouch	
	Ald Walker	
	Ald Warren	

11.7.3 COMMUNITY GRANTS PROGRAM ON HOLD AND REFOCUS TO COVID-19 ASSISTANCE
(File No 09-17-02)

EXECUTIVE SUMMARY

PURPOSE

To endorse the temporary repurposing of the Community Grants Program and to refocus funds towards the COVID-19 Community Support Package.

RELATION TO EXISTING POLICY/PLANS

- Community Grants Policy and Program; and
- Strategic Plan 2016 – 2026.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

No additional funds are required; however, some current budget allocations can be redirected to the community support package.

RECOMMENDATION:

That Council endorses:

- A. The temporary suspension of the Community Grants program apart from the Quick Response Grants.
- B. The in-principle repurposing of existing program allocations to fund the COVID-19 Community Support Package, to a maximum allocation of \$150,000, with the General Manager to provide a further report to Council at its next meeting identifying budget reallocations for confirmation by Council.
- C. The COVID-19 Community Support Package Grants guidelines.

Decision: **MOVED** Ald Chong **SECONDED** Ald Warren

“That Council:

- A. Rescinds its decision of 6 April 2020 in respect to Item 11.7.1, Recommendation C, Dot Point 4 *‘The community grants program be refocussed to support local businesses, not-for-profit organisations and community organisations recover their operations to help build resilience, until 30 June 2021’*.

COMMUNITY GRANTS PROGRAM ON HOLD AND REFOCUS TO COVID-19 ASSISTANCE /Decision contd...

- B. Endorses the carry-forward of unspent funds from the FY2019/20 Estimates to the FY2020/21 Estimates, totally \$150,000, for reallocation as follows.
- an amount of \$35,000 to supplement the FY2020/21 budget allocation (\$65,000) for Community Support and Partnership Grants – totalling \$100,000;
 - an amount of \$60,000 to fund practical homelessness initiatives within Clarence, in partnership with relevant not-for-profit organisations and in accordance with the Clarence City Council COVID-19 Social Recovery Plan; and
 - the balance of funds (\$55,000) to fund any additional expenditure required to deliver the objectives and actions identified in the Clarence City Council COVID-19 Social Recovery Action Plan.
- C. Authorises the Partnership Grants Assessment Panel to coordinate the allocation of grant funds between the Community Support Grants and Partnership Grants programs in accordance with currently approved grant policy requirements, and to determine grant applications for each grant type during the FY2020/21 year”.

CARRIED**FOR**

Ald Chipman
 Ald Blomeley
 Ald Chong
 Ald Edmunds
 Ald Ewington
 Ald Kennedy
 Ald Mulder
 Ald Peers
 Ald von Bertouch
 Ald Walker
 Ald Warren

AGAINST

Ald James (abstained)

12. ALDERMEN'S QUESTION TIME

An Alderman may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

12.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Nil

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil

12.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING**ALD CHONG**

In the Quarterly Report on Page 41 it referred to water sampling taken at Lauderdale Canal and some of the readings exceeded the guidelines for water sampling. Does that mean that we need to do any work currently in the canal and is it a potential problem?

ANSWER

It does not represent a problem at this time. The reason we undertook the sampling was to see if we could have any direct interaction with the water body there and the planned district park. Swimming is prohibited at the present time and all this indicates is that we will have to take a few more samples over an extended period to see what the quality of the water is. At this stage we would not be recommending primary contact.

ALD BLOMELEY

1. I refer to my Motion on Notice regarding a Trial Peak-Hour Ferry Service that was supported by this Council at our Meeting of 16 March, and ask what action has been taken to progress this issue and what response, if any, has been received from the State Government?

ANSWER

The Department of State Growth advised that the progression of the Derwent River Ferry project has been temporarily impacted by COVID-19, due to resources within the Department being reallocated to work on COVID-19 issues and strategies in the short term. The project has now been transferred to Programming and Delivery and a Project Manager has been allocated to manage this as part of an integrated approach to urban congestion management. In particular, this project needs to integrate with further cycling infrastructure development and consider Council's aspirations for civic development.

2. My second question regards the October 21, 2019 decision by this Council to support a review of pedestrian safety on Lincoln Street in Lindisfarne, including recommendations to be presented to Aldermen at a workshop.

As nearly seven months have now passed, can the General Manager please provide an update on this work and an indication as to when the workshop briefing will occur?

ANSWER

We have received the report from the consultants and have prepared a workshop to present to Council.

We have also included this project in the draft capital roads program for Council consideration, acknowledging that community consultation does need to be undertaken first.

The draft capital program will be presented to Aldermen in the coming weeks, dependent on completion of the recurrent budget review.

ALD EDMUNDS

The Airport pays fictional or equivalent rates, how will that arrangement be affected if we adopt a rate freeze and if we are allowed to disclose it, has the airport been among the people contacting us about hardship measures?

ANSWER

The zero-rate increase will proceed in the normal way. As Aldermen would be aware, Council is in the Federal Court of Appeal appealing a decision of the lower court in respect to the ex-gratia rates amounts. I cannot give a detailed answer on how that case may proceed or what the outcome might be. In terms of a hardship response it would be inappropriate at this point in time to publicly disclose that, but I can discuss with Ald Edmunds individually if required.

ALD EWINGTON

1. I refer to an email received from a developer regarding land he is proposing to develop on the corner of Cambridge and Pass Roads. Have we done anything to look at amending the Urban Growth Boundary so that what seems like a sensible location and piece of land to develop into housing, are we helping to move that forward?

ANSWER

We have received an application. We have been unable to progress that very far at the moment because our priority has been dealing with the local planning scheme as required by the Planning Commission, so the priority of work has gone into that. As soon as we have completed that we can investigate and prepare a report on this matter.

2. Is there anything happening internally in relation to the Urban Growth Boundary? Is that being looked at, at the moment?

ANSWER

We are doing nothing on the UGB internally, as it is outside Council's power and indeed resources to make changes. Review of the UGB is part of the role of the State's Planning Policy Unit (PPU), which charged with reviewing and updating all regional strategies in Tasmania.

The background here is that under the Land Use Planning and Approvals Act 1993, the Minister for Planning must keep the regional strategies under regular review. In doing so, the Minister must consult with the Tasmanian Planning Commission, Councils and relevant state service agencies. This process is implemented by the PPU and we have been advised that it is a prioritised project, however the timeline is yet to be confirmed. It is also noted that the Government has committed through the Hobart City Deal to work with the Councils to see the strategy reviewed.

ALD JAMES

1. Regarding the sale of the Kangaroo Bay Wharf Site to Chambroad Petrochemical Company for \$2.44M, will Council obtain an external valuation for the boulevard site before it is sold to Hunter or its client investor company for their proposal?

ANSWER

The Boulevard site will be subject to a valuation process and it will be the valuation that sets the purchase price according to the Preferred Developer Agreement that has been signed.

2. Regarding 19 Corinth Street in Howrah, is Council aware of or has Council been advised of a minor amendment under Section 56 of LUPA regarding the plans that RMPAT had approved on 20 February 2019?

ANSWER

I am unaware of any application for a minor amendment. I do not believe there is one, however, I will have that investigated and advise Aldermen accordingly.

ALD KENNEDY

Is there any further update on the status of the Kangaroo Bay Hotel and Hospitality School?

ANSWER

We are expecting to have an update within the next few weeks.

ALD MULDER

1. In light of the staged easing of COVID-19 restrictions have you sought or been provided with advice as to when Council will be able to meet and hold workshops in a face to face situation again?

ANSWER

At this stage we don't have any particularly firm dates. The best I can say is subject to progress it may be in mid to late June.

2. Given the social distancing requirements that will be with us for some time has the General Manager or yourself started work on an alternative venue in which such social distancing would be possible for Council Meetings?

ANSWER

Not at this stage.

(Mayor) Nevertheless it is something we will take into the equation; it is something worth considering.

ALD PEERS

Regarding the Council land between Beach Street and High Street, some ratepayers have been doing some work on that piece of land. Because it is a bike track and was very barren could Council staff plant some grass seed there? I don't think ratepayers should be doing that kind of work on Council land. I think we should be getting that area really spruced up. It won't take much now because the grass is starting to grow again.

ANSWER

This area has been re-loamed and re-sown and is being watered twice a day or as required depending on weather.

ALD VON BERTOUCHE

1. When will we actually be having a workshop in relation to the responses as far as the Local Planning Scheme is concerned? I realise that the budget is overarching at the moment but is there any indication as to when that workshop will occur?

ANSWER

It will depend on other priorities, but we should be ready to have a report prepared for a workshop in late June.

2. Have we had any interaction with the State Government in light of the announcement by the Premier that he would like to see as many large capital works projects instituted as soon as possible?

ANSWER

Formulation of capital works projects that we will present to Aldermen at a workshop is focussed around bringing forward as many shovel ready projects as we can and progressing those within the next financial year.

Question contd...

Could we initiate discussions with the State Government particularly the Premier, he might be able to come to a workshop in the near future?

(Mayor) We have opened the door for that but the government and I think the federal government are hoping to pull all the ideas together for one omnibus announcement, so we are unlikely to get trickle fed support for any particular project. I think we have to wait for the overall resolution.

ANSWER

Councils throughout Tasmania have submitted to the State Government, projects as part of the \$150 M interest free loan scheme and that forms a pretty broad ranging shovel ready approach to capital works in the next year. Putting aside the issue of it being loan funding, those are all projects that council has put forward with a view to being able to commence construction. It is fair to say that my latest information is that the \$150M is over-subscribed and we have not had any detail by how much nor have we heard any decision as to how the allocation based on those applications may be determined.

ALD WALKER

1. With the welcome opening or thawing of access to playgrounds how are staff managing with increased cleaning protocols and have there been any problems reported given that this whole idea of ten people per playground per time is somewhat problematic?

ANSWER

We have been working through safety plans and reopening plans over the last week and installing signage and other guidance and providing it via Facebook where we can. It is fair to say that everyone is feeling their way through this and I have heard a number of parties talk about a common-sense approach to what does ten people mean. So at this point in time we are maintaining our cleaning regimes but the signage we are putting in place is encouraging people to make sure that they take their own precautions and not assume that Council has recently cleaned a particular piece of play equipment. This is on the simple basis that we could have cleaned it 15 minutes previously but someone else has used it in the meantime. We are taking an educative approach.

2. Part of the interesting debate with the notice of motion tonight centred around a south-east regional park. Now if we put aside a new location for the park I think it would be really important just to talk about and re-emphasise has progress been made in an upgrade of playground infrastructure planning for the Lauderdale Canal area and is this something that is actively part of the budget process that we are undergoing at the moment?

ANSWER

At the last workshop on this subject, Council provided instructions that they were interested in a district park at Lauderdale. Our landscape architect team is currently preparing concept plans on that. I will investigate timing of when we may be able to present that to a future council workshop.

12.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will be recorded in the following Agenda.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

13. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters were listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 JOINT AUTHORITY MATTER

13.3 COMMITTEE PROJECT REVIEW

13.4 URGENT ITEM – PLANNING APPEAL – LEGAL MATTER

In accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 the reports in the Closed Meeting section of the Council Agenda were dealt with on the grounds that the detail covered in the reports relates to:

- information of a confidential nature or information provided to the council on the condition it is kept confidential;
- applications by Aldermen for a Leave of Absence;
- matters relating to actual litigation.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

Ald James left the Meeting at this stage and did not return (8.50pm).

Decision:

PROCEDURAL MOTION

MOVED Ald Blomeley **SECONDED** Ald Chong

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting”.

CARRIED UNANIMOUSLY

CLOSED MEETING /contd...

The following Closed Meeting Motion has been authorised by Council for publication in the public Minutes.

13.4 PLANNING APPEAL – 1 CREMORNE AVENUE, CREMORNE - 3 MULTIPLE DWELLINGS

Decision:	MOVED Ald Blomeley SECONDED Ald Ewington	
	“That Council	
	A. Authorise the General Manager to instruct Simmons Wolfhagen to resolve this appeal by filing a consent agreement approving the development subject to conditions generally consistent with those recommended by council officers in the Council meeting agenda of 27 April 2020.	
	B Publishes its decision only in regard to this matter in the open Minutes of this Meeting, noting legal advice in relation to the appeal against Council’s decision to refuse the application for a 3 Multiple Dwellings at 1 Cremorne Avenue, Cremorne, and recommending Council seeks a consent agreement approving the development subject to conditions on the basis that the grounds for refusal cannot be legally sustained”.	
	CARRIED	
	FOR	AGAINST
	Ald Blomeley	Ald Edmunds (abstained)
	Ald Chipman	Ald Kennedy (abstained)
	Ald Chong	Ald Walker (abstained)
	Ald Ewington	Ald Warren (abstained)
	Ald Mulder	
	Ald Peers	
	Ald von Bertouch	

The Meeting closed at 9.23pm.